

O T P E J C 73  
AUG 03 2004

PATENT & TRADEMARK

# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

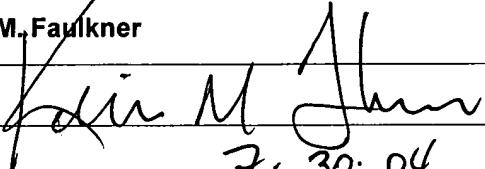
		Application Number	09/864,756
		Filing Date	05/24/2001
		First Named Inventor	David H. McConville
		Group Art Unit	1621
		Examiner Name	Nazario Gonzalez, Porfirio
Total Number of Pages in This Submission	+	Attorney Docket Number	1999U019D1.US

## ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <b>In duplicate</b> <input checked="" type="checkbox"/> Preliminary Amendment / Response <b>Response to Action dated 7/14/04</b> <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Form-1449  <input checked="" type="checkbox"/> Supplemental Information Disclosure Statement  <input checked="" type="checkbox"/> 1449 Form <input checked="" type="checkbox"/> Copies of Cited Non-US References  <input type="checkbox"/> Certified Copy of Priority Documents)  <input type="checkbox"/> Response to Missing Part/ Incomplete Application  <input type="checkbox"/> Response to Missing Parts	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> To Convert a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Notice to File Corrected Application Papers <input type="checkbox"/> Substitute Specification	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below): <hr/> <b>Postcard</b>	
			<input type="checkbox"/>

## REMARKS

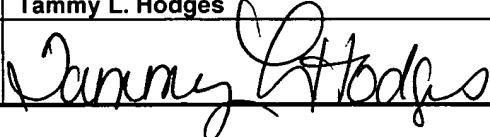
## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Or Individual name	Kevin M. Faulkner	Registration No.
Signature		
Date	7.30.04	

## CERTIFICATE OF MAILING

I hereby certify having information and a reasonable basis for belief that this correspondence will be deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date:

July 30, 2004

Typed or printed name	Tammy L. Hodges		
Signature		Date	July 30, 2004

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**FEE TRANSMITTAL  
for FY 2003**

Effective 01/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)

180.00

**Complete if Known**

Application Number	09/864,756
Filing Date	May 24, 2001
First Named Inventor	David H. McConville
Examiner Name	Nazario Gonzalez, Porfirio
Art Unit	1621
Attorney Docket No.	1999U019D1.US

**METHOD OF PAYMENT (check all that apply)**
 Check  Credit card  Money Order  Other  None
 Deposit Account:Deposit Account Number  
Deposit Account Name

50-0589

Univation Technologies

The Commissioner is authorized to: (check all that apply)

Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) during the pendency of this application  
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

**FEES CALCULATION****1. BASIC FILING FEE**

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1001 750	2001 375	Utility filing fee			
1002 330	2002 165	Design filing fee			
1003 520	2003 260	Plant filing fee			
1004 750	2004 375	Reissue filing fee			
1005 160	2005 80	Provisional filing fee			
<b>SUBTOTAL (1) (\$)</b>		0.00			

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims	Extra Claims	Fee from below	Fee Paid
	-20** =	0 x 18 =	0
Independent Claims	- 3** =	0 x 84 =	0
Multiple Dependent		280 =	0

Large Entity	Small Entity	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 84	2201 42	Independent claims in excess of 3
1203 280	2203 140	Multiple dependent claim, if not paid
1204 84	2204 42	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent
<b>SUBTOTAL (2) (\$)</b>		0.00

\*or number previously paid, if greater; For Reissues, see above

**3. ADDITIONAL FEES**

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for <i>ex parte</i> reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 410	2252 205	Extension for reply within second month	
1253 930	2253 465	Extension for reply within third month	
1254 1,450	2254 725	Extension for reply within fourth month	
1255 1,970	2255 985	Extension for reply within fifth month	
1401 320	2401 160	Notice of Appeal	
1402 320	2402 160	Filing a brief in support of an appeal	
1403 280	2403 140	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,300	2453 650	Petition to revive - unintentional	
1501 1,300	2501 650	Utility issue fee (or reissue)	
1502 470	2502 235	Design issue fee	
1503 630	2503 315	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	180.00
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 750	2809 375	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 750	2810 375	For each additional invention to be examined (37 CFR 1.129(b))	
1801 750	2801 375	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	
Other fee (specify) _____			
*Reduced by Basic Filing Fee Paid		<b>SUBTOTAL (3) (\$)</b>	180.00

(Complete if applicable)

Name (Print/Type)	Kevin M. Faulkner	Registration No. (Attorney/Agent)	45,427	Telephone	713-892-3729
Signature	<i>Kevin M. Faulkner</i>			Date	7.30.04

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.



AUG 03 2004

<b>TRANSMITTAL OF SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR § 1.97(b), 1.97(c), or 1.97(d)</b>		Attny. Docket No. <b>1999U019D1.US</b>
<b>In Re Application of: David H. McConville</b>		
<b>U.S. Serial No.</b> <b>09/864,756</b>	<b>Filing Date</b> <b>05/24/2001</b>	<b>Examiner</b> <b>Nazario Gonzalez, Porfirio</b>
		<b>Group Art Unit</b> <b>1621</b>

Address to:  
**Commissioner for Patents**  
**P.O. Box 1450**  
**Alexandria, VA 22313-1450**

**37 CFR § 1.97(b)**

The Information Disclosure Statement submitted herewith is being filed within three months of the filing date of a national application other than a continued prosecution application under § 1.53(d); within three months of the date of entry of the national stage as set forth in § 1.491 in an international application; before the mailing of a first Office Action on the merits; or before the mailing of a first Office Action after the filing of a request for continued examination under § 1.114.

**37 CFR § 1.97(c)**

The Information Disclosure Statement submitted herewith is being filed after three months of the filing date of a national application other than a continued prosecution application under § 1.53(d); after three months of the date of entry of the national stage as set forth in § 1.491 in an international application; after the mailing of a first Office Action on the merits; or after the mailing of a first Office Action after the filing of a request for continued examination under § 1.114, but before the mailing date of:

1. a Final Action under § 1.113,
2. a Notice of Allowance under § 1.311, or
3. an action that otherwise closes prosecution in the application,

and is accompanied by either:

the fee as set forth in § 1.17(p), or  
 the following statement under § 1.97(e)(1): each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement.

**37 CFR § 1.97(d)**

The Information Disclosure Statement submitted herewith is being filed after a Final Action under § 1.113, a Notice of Allowance under § 1.311, or an action that otherwise closes prosecution in the application, but before, or simultaneously with, the payment of the issue fee. Submitted herewith is the fee as set forth in § 1.17(p) and the following statement under 37 CFR § 1.97(e)(1): each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement.

Applicant hereby request consideration of the Information Disclosure Statement, USPTO form 1449, submitted herewith.

Legible copies of the references are enclosed.

This application is a:

- Continuation / Divisional,
- Continuation-in-Part,

of U.S.S.N. 09/864,756, filed May 24, 2001

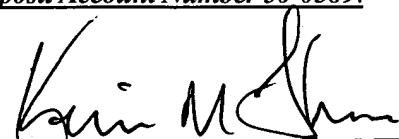
Copies of the cited U.S. patent references are  enclosed;  not enclosed.

Copies of the cited non-U.S. patent references are  enclosed;  not enclosed. References are available in the parent application(s) if not enclosed.

The Commissioner is hereby authorized to charge any additional fees which may be required by this paper, or credit any overpayment, to Deposit Account Number 50-0589.

Date

July 30, 2004



Kevin M. Faulkner

Registration No. 45,427

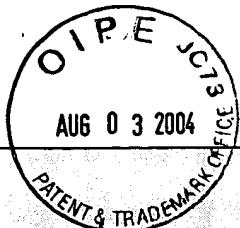
**Univation Technologies, LLC**

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Houston, Texas 77056-2723

(713) 892-3729 Voice

(713) 892-3687 Facsimile



## **INFORMATION DISCLOSURE STATEMENT**

*(Use several sheets if necessary)*

ATTY. DOCKET NO.	SERIAL NO.
APPLICANT	
FILING DATE	GROUP

## U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA	3,914,311	10/21/1975	Coulson	260	577
	AB					
	AC					
	AD					
	AE					
	AF					
	AG					
	AH					
	AI					
	AJ					
	AK					

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	PUBL. DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
	AL							
	AM							
	AN							
	AO							

**OTHER DISCLOSURES (Including Author, Title, Date, Pertinent Pages of Publication, Etc.)**

AP Boger, Dale et al. "Palladium (O) Mediated  $\beta$ -Carboline Synthesis: Preparation of the CDE Ring System of Landendamycin" Tetrahedron Letters, Vol 25, No 30, pp 3175-3178 (1984).

EXAMINER	DATE CONSIDERED
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**\*EXAMINER:** Initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next comment to applicant